



DEPARTMENT OF DEFENSE  
UNITED STATES SOUTHERN COMMAND  
3511 NW 91ST AVENUE  
MIAMI, FL 33172-1217

REPLY TO  
ATTENTION OF

15 December 1999

\*SC Regulation 690-4

Effective 1 January 2000

Civilian Personnel

TIME AND ATTENDANCE PROCEDURES FOR  
HEADQUARTERS U.S. SOUTHERN COMMAND

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1. Purpose. This regulation establishes HQ USSOUTHCOM policy and procedures for the processing of time and attendance for civilian employees, to include procedures for overtime and compensatory time. It applies to all HQ SOUTHCOM civilian employees, to include those in Joint Interagency Task Force East, the Security Assistance Organizations (SAO), and Tactical Analysis Teams (TAT).

2. References.

- a. Defense Civilian Pay System (DCPS), Release 99-2, 25 April 1999
- b. Code of Federal Regulations (CFR), Title 5
- c. U.S. Code, Title 5
- d. DOD CPM Chapter 600, Subchapter 630
- e. DOD Financial Management Regulations, Volume 8, August 1999
- f. DOD 1400.25-M, Civilian Personnel Manual

3. General Policy on Timekeeping. Although the timekeeper inputs the timecard electronically, the supervisor is responsible for the accuracy of the information.

- a. Current regulatory procedures on timekeeping will be followed (ref a).

\* This regulation supersedes USSOUTHCOM Policy Memo, dated 18 August 1998

b. Supervisors will sign, and thereby certify the accuracy of, all timecards before they are put into the system.

c. Annual leave and sick leave hours noted on time and attendance (T & A) forms must be initialed by the employee on their timecards and properly supported by a completed and approved SF-71 (Request for Leave or Approved Absence).

d. Request, Authorization, and Report of Overtime ( DA Form 5172-R) must be submitted and approved in advance of the anticipated overtime in all but extraordinary circumstances (see specifics in paragraph 4d below).

e. Sick and annual leave must be recorded in 15 minute increments. Time should be recorded as follows: .25 = 15 minutes; .50 = 30 minutes; .75 = 45 minutes. Odd minutes should be rounded up or down to the nearest quarter hour. (Example: 7 minutes should be rounded down to the hour and 8 minutes up to 15 minutes; 37 minutes rounded to 30 minutes and 38 minutes rounded to 45 minutes).

f. Both the timekeeper and the alternate will be trained on timekeeping procedures and completely familiar with this regulation and any other applicable time and attendance procedures and controls, to include ref a and e. The Customer Service Representative (CSR) for civilian payroll is responsible for conducting this training for new timekeepers.

4. Overtime and Compensatory Time Earned. As a general rule, overtime work is each hour, or fraction of an hour, worked in excess of eight hours in a day, or in excess of forty hours in a workweek, that is officially ordered and approved by management and performed by an employee. It is work that is not part of an employee's regularly scheduled administrative workweek and for which an employee is entitled to compensation.

a. Overtime will be used only to meet extraordinary requirements.

(1) Overtime work should be used only in the event of mission essential, time-sensitive, temporary, peak workloads, when unique operating conditions require it, or for unusual emergencies.

(2) It will not be used to perform routine or recurring work.

(3) It is the responsibility of the approving official to ensure that overtime used is strictly controlled.

(4) Overtime will be approved only after other more economical workforce alternatives have been considered (e.g., realignment of scheduled duty hours, shifting of tasks to another employee, utilizing military support, and the implementation of alternative work schedules and flexitime IAW current SOUTHCOM policy).

b. Overtime or compensatory time may be approved only by Directors, Vice or Deputy

Directors, Chiefs of Special Staff, MILGP Commanders, or SAO Chiefs. This authority may not be delegated further.

c. Justification for overtime will be placed in the space provided on the DA Form 5172-R and must provide a detailed description of the overtime work to be performed, reasons why the work cannot be performed during normal duty hours, and a statement of the adverse impact anticipated if the work is not accomplished on an overtime basis. Blanket justifications, such as "in support of HQ SOUTHCOM" or "various administrative duties," are not acceptable.

d. The proper written authority for overtime, compensatory time, or holiday worked is DA Form 5172-R, Request Authorization and Report of Overtime.

(1) The approving official, as designated in b above, must indicate approval by signing this form before the work is performed.

(2) The form must clearly specify whether an employee will receive overtime or compensatory time. The total hours authorized on the form should be equal to the number of hours appearing on the T & A card (the overtime hours actually worked).

(3) Overtime funds are not an unlimited resource. Therefore, at the beginning of each fiscal year, SCJ8 will set budgetary limitations for each HQ SOUTHCOM directorate and organization. If more is needed, written approval by the Chief of Staff is required.

(4) In emergency situations when prior written approval is impractical, a statement in the justification block indicating by whom and when the verbal approval was obtained must be included. Any verbal overtime approvals must be approved, in writing, by the approving official on DA Form 5172-R.

(5) All compensatory time earned must be documented on DA Form 5172-R and all compensatory time taken must be reported on T & A Forms. Informal compensatory time or informal logs maintained within an organization are not authorized. (Example: It is not permissible to allow an employee to be absent without charge to leave, even though they worked late on another day. This is considered time card fraud because the timecard, certified as accurate by the supervisor, indicates the employee is on duty when he or she is not).

e. Ideally, employees should be supervised while performing overtime work. When this is impractical, supervisors should determine the reasonableness of work output for the time spent.

f. Compensatory time in lieu of paid overtime will be used to the maximum extent possible and will likewise be strictly controlled.

(1) Compensatory time earned should be taken as time off as soon as practicable to avoid accumulation.

(2) Compensatory time will be used before annual leave.

(3) By SOUTHCOM policy, compensatory time will be used within 13 pay periods after it was earned. Supervisors must stay abreast of their employee's compensatory balance and ensure that compensatory time is used. Under current regulations, unused compensatory time will be converted automatically to overtime at the end of the 26 pay periods after it was worked. This will result in an unacceptable and unbudgeted overtime cost.

g. Employees who are nonexempt under the Fair Labor Standards Act (FLSA) must receive overtime pay, unless they request compensatory time off in lieu of payment. Exempt employees paid at the rate of GS-10/Step 10, or below receive overtime compensation or compensatory time off by choice. Those paid at a rate that exceeds the rate of GS-10/Step 10 may request overtime compensation or compensatory time off; however, management will determine which to approve. See paragraph 6 for explanation of the Fair Labor Standards Act (FLSA) and exempt/nonexempt designations.

h. The original copy of completed DA Form 5172-R will be kept in the supervisor's records.

i. Annual leave or compensatory time earned must be taken for any absence on a SOUTHCOM training holiday.

j. To eliminate excessive overtime usage, supervisors must:

(1) Monitor and assess the reasons for routine scheduling of overtime.

(2) Ensure that annual leave is not approved during the same week in which overtime is scheduled, except for emergencies or in unusual situations.

(3) Revise work schedules when practicable, utilize military support to avoid overtime for civilians, and/or use compensatory time in lieu of paid overtime for all eligible employees, unless it is demonstrated to be impractical.

(4) Monitor employees' compensatory time earned and compensatory time used to ensure it is not converted to overtime pay.

5. FLSA, exempt/nonexempt status. For full regulatory provisions, see ref b, part 551. An employee/position is either exempt (not covered) or nonexempt (covered) from the FLSA. It is important for supervisors to know which category their employees fall under as it impacts the rules on overtime/compensatory time.

a. Nonexempt employees are generally non-professional employees at the GS-8 or below level. Supervisors must take positive steps to ensure these employees are compensated for work performed outside their regular hours.

b. Exempt employees are generally professional employees at the GS-9 or above level. These employees may work overtime without compensation, if they so desire. However, they may not be directed or expected to work overtime without compensation.

c. FLSA status is documented on the position description and on Standard Form 50, Notification of Personnel Action.

6. Hours of Work Determination While in a Travel Status (for complete regulatory guidance, see ref b, part 551.422 for nonexempt employees and part 550.112 for exempt employees).

a. For nonexempt employees (those covered by the FLSA). Time spent traveling is considered hours of work, if an employee is required to:

- (1) Travel during regular working hours;
- (2) Drive a vehicle or perform other work while traveling;
- (3) Travel as a passenger on a one-day assignment away from the official station; or,
- (4) Travel as a passenger on an overnight assignment away from the official duty station during hours on nonworkdays (e.g., Saturdays or Sundays) that correspond to the employee's regular working hours. This is the most common situation supervisors encounter.

b. For exempt employees. Time in travel status away from the official duty station of an employee is deemed employment for exempt employees only when:

- (1) It is within the employee's regularly scheduled administrative workweek;
- (2) The travel involves performance of actual work while traveling (approved, necessary work performed outside of the employee's regular workweek);
- (3) Is incident to travel that involves the performance of work while traveling;
- (4) Is carried out under such arduous and unusual conditions that the travel is inseparable from work; or,
- (5) Results from an event which could not be scheduled and administratively controlled, including travel by an employee to such an event and the return of the employee to his/her official duty station.

c. Any overtime (see para 4 above) related to travel must be fully explained in the justification for the overtime on Form 5172-R.

7. Annual Leave. For complete regulatory guidance, see ref b, part 630. Employees have a responsibility to properly schedule and request annual leave. Supervisors have a responsibility to ensure that employee annual leave requests are properly approved and documented.

a. SF-71 Request for Leave or Approved Absence must be completed for each instance of annual leave and must be signed by the employee and approved by the supervisor. The timekeeper should maintain a copy and the original should be given to the employee.

b. A substitution of annual leave for sick leave may not be made retroactively for the purpose of avoiding a forfeiture of annual leave at the end of the leave year.

8. Administrative Dismissal/Excused Absence. For complete regulatory guidance see ref b, part 610 and ref f. Administrative dismissal normally refers to a group of employees, while excused absence normally addresses individual absences.

a. Excused absence is an administratively authorized absence from duty without charge to leave. A complete list of common situations where DOD grants excused absence is contained in ref f. In SOUTHCOM, some examples of situations appropriate for excused absences are as follows:

(1) Any officially sponsored SOUTHCOM activity, to include golf tournaments and command runs.

(2) Participating in the SOUTHCOM Partners in Education program.

(3) Absence related to a government funded Permanent Change of Station (PCS) move

(a) Can only be used to take care of PCS related items that cannot be done outside of duty hours (e.g., packing, unpacking, or receiving household goods, picking up car from port, driver's license, and school registration).

(b) In normal circumstances, will not exceed a total of three days.

b. Administrative Dismissal is an absence when employees are released from duty because all or part of an activity is closed. Employees affected by these actions are generally excused without charge to leave. The most common situation of this in our AOR will be in conjunction with hurricanes. The CINC, or designee, or any other commander, may issue administrative orders relieving employees from work when emergency conditions exist. If employees leave work before the orders are issued, they may be required to take annual leave. Consult with SCJ1-C for any questions regarding timecard charges for employees already on scheduled leave.

9. Sick Leave. For complete regulatory guidance, see ref b, part 630. Sick leave usage is a qualified right, not an absolute right, and is subject to supervisory approval. Supervisors have the right and responsibility to question sick leave use, and in cases of suspected abuse, require medical documentation for all sick leave absences. Employees using what appears to be excessive amounts of sick leave, with no medical documentation to prove incapacitation, should be counseled concerning the proper use of such leave.

a. Sick leave for prearranged medical, dental, or optical treatment must be requested in advance and documented on SF-71, following the same approval procedures as for annual leave in para 7 above.

b. Sick leave for absences because of injury, illness, or other circumstances that could not be anticipated, should be followed up with an SF-71. Supervisors may require medical documentation for absences of more than three days.

c. An employee may use sick leave for only the following reasons:

(1) Medical, dental or optical treatment.

(2) When incapacitated for duty by physical or mental illness, pregnancy, or childbirth.

(3) Care of a family member who is incapacitated as a result of injury, mental illness, pregnancy, childbirth, or medical, dental or optical examination or treatment.

(4) To make arrangements necessitated by death of a family member or to attend the funeral of a family member.

(5) Employee exposure to a communicable disease which could jeopardize the health of others.

(6) Absence from duty for purposes relating to the adoption of a child.

10. Internal Controls. The following internal controls are designed to prevent fraud, waste, or abuse of government resources:

a. Spot checks will be made by the SOUTHCOM Inspector General (SCIG), with the assistance of SCJ1-C, to ensure the processes covered in this regulation are being followed.

b. The SCIG, with the assistance of SCJ8, will also conduct spot checks of the timecards, overtime/compensation time approval forms, and the overtime budget.

c. Organizations will include in their weekly SITREP the following:

(1) The total amount of overtime paid and hours of comp time earned that week (Fri – Thu); and,

(2) Projected overtime or comp time for the upcoming week (Fri – Thu).

d. Employees will not be permitted to maintain, certify, or approve their own T & A forms.

e. All materials related to timekeeping are considered to be sensitive in nature and, accordingly, should be properly secured.

f. To the extent practicable, timekeepers should be co-located with the employee whose records they keep to have positive, visual knowledge of each employee's presence or absence.

g. Certification of time cards should not be made earlier than the last workday of a pay period, except when a legal holiday falls on a Friday or Monday and it is not practical to operate without an early cutoff. In such cases, supervisors will ensure additional controls, so that any change in absence or attendance occurring after the cutoff date is certified.

The proponent agency for this regulation is the U.S. Southern Command. Users are invited to send comments and suggested improvements directly to HQ USSOUTHCOM/SCJ1-C, 3511 NW 91<sup>st</sup> Avenue, Miami FL, 33172-1217

SCJ1-C

FOR THE COMMANDER IN CHIEF:

OFFICIAL:  
JERRY C. McABEE  
Brigadier General, USMC  
Chief of Staff

KATHLEEN I. RHODES  
Colonel, USAF  
Adjutant General

DISTRIBUTION:  
D